

**ORDINANCE NO. 1654**

**AN ORDINANCE AMENDING THE ZONING REGULATIONS, CHAPTER 192, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY IOWA, BY REZONING CERTAIN REAL ESTATE OWNED BY KIMBERLEY PROPERTIES, INC.**

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**WHEREAS**, the Plan and Zoning Commission of the City of Ankeny, Iowa, held a public hearing and on the 17<sup>th</sup> day of November, 2009, and recommended to the City Council that the Zoning Regulations, Chapter 196, of the Municipal Code of the City of Ankeny, Iowa, for the following described property owned by Kimberley Properties, Inc. be rezoned from the current R-1, One-family Residence District, designation to R-3, Multiple-family Residence District, with restrictions; and,

That the future lots that will directly abut Prairie Ridge Estates lots to the north and Ashland Meadows lots to the south shall be a minimum of 70 feet in width and that the developer shall match the proposed and existing property lines as much as practicable.

**WHEREAS**, on the 18<sup>th</sup> day of January, 2010, after due notice and hearing provided by law, the Council now deems it reasonable and appropriate to rezone the property described below from the current R-1 designation to R-3, Multiple-family Residence District, restricted to single family detached dwellings and subject to a condition, for the property described below;

**LEGAL DESCRIPTION:**

PARCEL 'D' OF THE PLAT OF SURVEY DATED APRIL 9, 2003 AND RECORDED APRIL 10, 2003 IN BOOK 9748 AT PAGE 73, CITY OF ANKENY, POLK COUNTY, IOWA, EXCEPT THE EAST 35.00 FEET.

**LAYMAN'S DESCRIPTION:**

28.583 (+/-) acres of land located north of Ashland Ridge Elementary School and approximately 130 feet south of the NW 32<sup>nd</sup> Street and NW Ash Drive intersection.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:**

Section 1. That Chapter 196 of the Municipal Code of the City of Ankeny, Iowa, is hereby amended by rezoning the above described property owned by Kimberley Properties, Inc. from the current R-1 designation to R-3, Multiple-family Residence District with the following restrictions:

- A. That the area be restricted to single family detached dwellings; and,
- B. That the future lots that will directly abut Prairie Ridge Estates lots to the north and Ashland Meadows lots to the south shall be a minimum of 70 feet in width and that the developer shall match the proposed and existing property lines as much as practicable.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

**PASSED** at Ankeny Iowa, this **18<sup>th</sup>**, day of **January**, 2010.

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Steven D. Van Oort, Mayor

ATTEST:

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Pamela DeMouth, City Clerk

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**1<sup>st</sup> Con 12/21/09 (P. Hrg.)  
2<sup>nd</sup> Con 1/4/10  
3<sup>rd</sup> Con 1/18/10**